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Individually and on behalf of all others similarly situated

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

KATHLEEN HANNI, individually and on ) behalf of all others similarly situated, ) Plaintiff, ) v. ) AMERICAN AIRLINES, INC.; and DOES 1 ) through 20, inclusive, ) Defendants. )	No. C08-00732 CW  <b>(Proposed) ORDER GRANTING MOTION TO REMAND</b>  Date: April 24, 2008 Time: 2:00 p.m. Courtroom: 2
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Defendant American Airlines, Inc. by its attorneys Cooper, White & Cooper of San Francisco, by Jie-Ming Chou, having filed on January 31, 2008, a Notice of Removal with supporting Declaration removing the subject action from the Superior Court of Napa County California to this Court, and Plaintiff Kathleen Hanni, by and through her attorneys, Paul S. Hudson of Sarasota Florida, *pro hac vice* and David G. Ramos, of Napa California, having filed on February 29<sup>th</sup>, 2009 a Notice of Motion and Motion to Remand with supporting Declarations of Kathleen Hanni and Paul S. Hudson, and Memorandum of Law, and after further reviewing and considering the responsive papers

1 of Defendant and Plaintiff regarding said Motion, and after hearing from counsel for the parties at a  
2 motion term held on April 24, 2008, at the United States Courthouse at Oakland, California, and after  
3 due deliberation and consideration,

4           It is hereby found and adjudged that the Defendant has failed to sustain its burden of  
5 proof to demonstrate that this Court has subject matter jurisdiction of the subject action and the  
6 Plaintiff's Motion for Remand is accordingly hereby GRANTED and it is further ORDERED that the  
7 subject action is remanded to the Superior Court of Napa County California forthwith, and it is further  
8 ORDERED that pursuant to 28 U.S.C. 1447( c) the Defendant shall pay to Plaintiff's counsel actual  
9 out of pocket costs and reasonable attorneys' fees for the Motion to Remand, and that the Plaintiff  
10 counsel shall submit to this Court a bill of costs and an affidavit of services within 30 days of the date  
11 of this order, with proposed order on notice to Defendant.

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13 Dated:

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United States District Judge